

Debtor(s).

**Location:** 21041 Burbank Boulevard, Woodland Hills, California 91367, Courtroom “301”

**Proposed sale price:** \$7,500, subject to qualified overbids

**Overbid procedure (if any):** See attachment

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**If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:**

August 8, 2019

2:00 p.m.

21041 Burbank Boulevard

Courtroom "301"

Woodland Hills, California 91367

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**Contact person for potential bidders (include name, address, telephone, fax and/or email address):**

Daniel A. Lev, Esq.

**Sulmeyer**Kupetz, A Professional Corporation

333 South Grand Avenue, Suite 3400

Los Angeles, California 90071

Telephone: 213.626.2311

Email: dlev@sulmeyerlaw.com

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Date: July 9, 2019

### **ATTACHMENT TO NOTICE OF SALE OF ESTATE PROPERTY**

Description of Property to be Sold: Through his "Chapter 7 Trustee's Motion for Order Authorizing Sale of Certain Remnant Assets Free and Clear of Liens, Claims, Interests, and Encumbrances Pursuant to 11 U.S.C. §§ 105 and 363, Subject to Overbids, and Related Relief; Memorandum of Points and Authorities; Declaration of Howard M. Ehrenberg in Support Thereof" (the "Motion"), Howard M. Ehrenberg (the "Trustee"), the duly appointed, qualified, and acting chapter 7 trustee for the estate of the debtor Kandy Kiss of California, Inc. (the "Debtor") hereby seeks, among other things, an order authorizing the sale of the estate's right, title, and interest in and to the remaining property of the estate, consisting of known and unknown assets or claims, which have not been previously sold, assigned, or transferred (collectively, the "Remnant Assets"), subject to certain exclusions, free and clear of liens, claims, interests and encumbrances. In this regard, the Trustee has agreed, subject to the Court's approval, to sell the Remnant Assets to Oak Point Partners, LLC, a Delaware limited liability company ("Oak Point"), on the terms and conditions set forth in the asset purchase agreement (the "Purchase Agreement"), a true and correct copy of which is attached to the Motion as Exhibit "A". Pursuant to the terms of the Purchase Agreement, Oak Point shall pay the estate \$7,500 (the "Purchase Price") for the Remnant Assets, subject to qualified overbids. The Trustee also seeks an order (i) confirming the sale to Oak Point, or such other qualified bidder, (ii) authorizing the Trustee to execute any and all documents that may be necessary to consummate the sale, (iii) determining that Oak Point, or such other qualified bidder, is entitled to 11 U.S.C. § 363(m) protection, and (iv) waiving the 14-day stay under Federal Rule of Bankruptcy Procedure 6004(h).

Method of Sale: Existing cash offer of \$7,500, subject to qualified overbids.

Sale Description: Date of Sale: August 8, 2019, 2:00 p.m. (subject to continuances)  
Place: 21041 Burbank Boulevard, Courtroom "301", Woodland Hills, CA 91367.

Offer Received: The Trustee has received and accepted an offer from Oak Point for \$7,500, cash, or to any person or entity who appears at the hearing and submits a higher acceptable bid.

Overbid Terms: The proposed sale to Oak Point is subject to approval of the United States Bankruptcy Court and to qualified overbids, and any person or entity desiring to submit an overbid must comply with the following proposed Bidding Procedures:

a. Each Competing Bidder who wants to participate in the overbid process must notify the Trustee of their intention to do so on or before one (1) business day prior to the hearing on the Motion and present the Trustee with evidence satisfactory to the Trustee of the Competing Bidder's financial wherewithal to consummate the proposed sale transaction;

- b. each Competing Bidder must submit a Cashier's Check to the Trustee in the amount of such Competing Bidder's first overbid at the time such overbid is presented to the Trustee;
- c. in the event of an overbid that meets the foregoing conditions, the Trustee will deem the Competing Bidder to be a qualified overbidder for purposes of participating in an auction of the Remnant Assets, which auction will take place at the date and time scheduled for the hearing on the Motion;
- d. in the event of an auction, the first overbid for the Remnant Assets by a Competing Bidder must be at least \$1,875 more than the Purchase Price, or a total of \$9,375;
- e. each subsequent overbid for the Remnant Assets must be in additional increments of \$1,000, unless otherwise agreed to by the parties or directed by the Court;
- f. the Competing Bidder must purchase the Remnant Assets under the same terms and conditions set forth in the Purchase Agreement, other than the purchase price; and
- g. at the conclusion of the auction, the Trustee will recommend that the Court approve the sale of the Remnant Assets to the highest bidder.

Contact Name: Daniel A. Lev  
Contact Number: (213) 626-2311  
Case Name: In re Kandy Kiss of California, Inc.  
Case Number: 1:17-bk-10378-VK

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
333 South Grand Avenue, Suite 3400, Los Angeles, California 90071

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* July 10, 2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See attached

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On *(date)* \_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* July 10, 2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

The Honorable Victoria S. Kaufman  
U.S. Bankruptcy Court  
Bin on 1st Floor outside entry to Intake Section  
21041 Burbank Blvd.  
Woodland Hills, CA 91367

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

July 10, 2019  
Date

Denise Walker  
Printed Name

/s/Denise Walker  
Signature

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

Jessica L Bagdanov on behalf of Debtor Kandy Kiss of California, Inc.  
jbagdanov@bg.law, ecf@bg.law

Bernard D Bollinger, Jr on behalf of Cross Defendant Secret Charm, LLC, Adir Haroni, Cathy King, Lauri Hamer and  
Melissa Krupa  
bbollinger@buchalter.com, IFS\_filing@buchalter.com;smartin@buchalter.com

Peter M Bransten on behalf of Other Professional Courtesy NEF  
pbransten@glaserweil.com, dsanchez@glaserweil.com

Peter M Bransten on behalf of Petitioning Creditor Mauricio Betancur  
pbransten@glaserweil.com, dsanchez@glaserweil.com

Lynn Brown on behalf of Creditor American Express Travel Related Services Company, Inc.  
notices@becket-lee.com

Russell Clementson on behalf of U.S. Trustee United States Trustee (SV)  
russell.clementson@usdoj.gov

Alan J Cohen on behalf of Creditor Mark Raskin  
acohen@cohenlawla.com

Cynthia M Cohen on behalf of Other Professional Courtesy NEF  
cynthiacohen@saminicohen.com

Cynthia M Cohen on behalf of Petitioning Creditor Kucuhead  
cynthiacohen@saminicohen.com

Cynthia M Cohen on behalf of Petitioning Creditor Mauricio Betancur  
cynthiacohen@saminicohen.com

Cynthia M Cohen on behalf of Plaintiff Mauricio Betancur  
cynthiacohen@saminicohen.com

Howard M Ehrenberg (TR)  
ehrenbergtrustee@sulmeyerlaw.com, ca25@ecfcbis.com;C123@ecfcbis.com;hehrenberg@ecf.inforuptcy.com

Beth Gaschen on behalf of Debtor Kandy Kiss of California, Inc.  
bgaschen@wglp.com, kadele@wglp.com;vrosales@wglp.com;cbmeeker@gmail.com;cyoshonis@wglp.com

Beth Gaschen on behalf of Interested Party Province, Inc.  
bgaschen@wglp.com, kadele@wglp.com;vrosales@wglp.com;cbmeeker@gmail.com;cyoshonis@wglp.com

Beth Gaschen on behalf of Other Professional Courtesy NEF  
bgaschen@wglp.com, kadele@wglp.com;vrosales@wglp.com;cbmeeker@gmail.com;cyoshonis@wglp.com

Jeffrey I Golden on behalf of Interested Party Province, Inc.  
jgolden@wglp.com, kadele@wglp.com;vrosales@wglp.com;cbmeeker@gmail.com

Steven T Gubner on behalf of Debtor Kandy Kiss of California, Inc.  
sgubner@bg.law, ecf@bg.law

Steven T Gubner on behalf of Interested Party Courtesy NEF  
sgubner@bg.law, ecf@bg.law

Steven T Gubner on behalf of Other Professional Brutzkus Gubner  
sgubner@bg.law, ecf@bg.law

Steven T Gubner on behalf of Other Professional Courtesy NEF  
sgubner@bg.law, ecf@bg.law

Steven T Gubner on behalf of Trustee Howard M Ehrenberg (TR)  
sgubner@bg.law, ecf@bg.law

Sandra Khalili on behalf of Interested Party Resch Polster & Berger LLP  
skhalili@rpblaw.com, maltamirano@rpblaw.com

Paul J Kurtzhall on behalf of Other Professional Courtesy NEF  
paul@hkwllp.com, scottm@hkwllp.com

Paul J Kurtzhall on behalf of Petitioning Creditor IDFIX, Inc.  
paul@hkwllp.com, scottm@hkwllp.com

Matthew A Lesnick on behalf of Petitioning Creditor Apex Logistics International LAX Inc.  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor High Hope Trading (HK) Limited  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor IDFIX, Inc.  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor Kucuhead  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor RM Global Textile Inc.  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor Shol Inc  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor Texking Trading Ltd  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor Tu Pacific, LLC  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor Ch Moon  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor Christopher Clifford  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor David Shi  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor Elsie Qian  
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Matthew A Lesnick on behalf of Petitioning Creditor Grace Wang  
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Matthew A Lesnick on behalf of Petitioning Creditor Mauricio Betancur  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Matthew A Lesnick on behalf of Petitioning Creditor Thao Uyen  
matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com

Daniel A Lev on behalf of Other Professional Courtesy NEF  
dlev@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com;dlev@ecf.inforuptcy.com;dwalker@sulmeyerlaw.com

Daniel A Lev on behalf of Trustee Howard M Ehrenberg (TR)  
dlev@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com;dlev@ecf.inforuptcy.com;dwalker@sulmeyerlaw.com

Lloyd S Mann on behalf of Other Professional Courtesy NEF  
lmann@mannzarpas.com

Lloyd S Mann on behalf of Petitioning Creditor Kucuhead  
lmann@mannzarpas.com

Lloyd S Mann on behalf of Petitioning Creditor Mauricio Betancur  
lmann@mannzarpas.com

Susan I Montgomery on behalf of Creditor Thomas R. Akin  
susan@simontgomerylaw.com,  
assistant@simontgomerylaw.com;simontgomerylawecf.com@gmail.com;montgomerysr71631@notify.bestcase.com

Kurt Ramlo on behalf of Interested Party Courtesy NEF  
kr@lnbyb.com, kr@ecf.inforuptcy.com

Howard D Ruddell on behalf of Creditor Target Corporation  
, lorena.lazheztter@faegrebd.com

United States Trustee (SV)  
ustpreion16.wh.ecf@usdoj.gov